GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police – Appeal Petition of Sri Syed Khader Hussain, HC-735 of Vijayawada City, against the punishment of "PPI for one year with cumulative effect" treating the suspension period from 28.08.2014AN to 10.10.2014 FN as "Not on Duty", awarded by the Commissioner of Police, Vijayawada City - Punishment modified to that of "Censure" treating the suspension period from 28.08.2014AN to 10.10.2014 FN as "Eligible Leave" - Orders - Issued.

HOME (SERVICES.II) DEPARTMENT

G.O.RT.No. 636 Dated: 23-07-2019

Read the following:-

1. From the Director General of Police, Andhra Pradesh, Mangalagiri, Lr.Rc.No. 172/T3/2019, dated: 28.03.2019.
2. Representation of Sri Syed Khader Hussain, HC-735 of Vijayawada City, dated.27.06.2019

ORDER:-

In the reference 1st read above, the DGP has stated that the Commissioner of Police, Vijayawada City has informed that Sri Syed Khader Hussain, HC-735 of Vijayawada City was handed upon with a Major Charge under Rule-20 of A.P.C.S[CC&A] Rules, 1991 vide C.No.30/PR/2014, dated.03.09.2014 for the following delinquency:-

Article: Sri Syed Khader Hussain, HC-735 has worked in Patamata PS, Vijayawada City since 18-09-2010. On 15-03-2014, Sri. Modumudi Sairam S/O Sridhar Sharma, Manager in Sapthagiri Grameena Bank, Yanamalakuduru Branch made a complaint about missing of his wife in Patamata PS. The same was registered as Cr.No.230/2014 U/h Woman Missing in Patamata PS. On 17-03-2014, the dead body of the missing woman was traced in Bandar canal. The Penamaluru Police registered a case vide Cr.No. 12/14 U/s 174 Cr.P.C. Later, after identification of the dead body, the case was transferred to Patamata PS. After collection of evidence and basing on the inquest report, the section of law was altered from woman missing to 120[B], 449, 302, 376[E], 396, 201 r/w 34 IPC and started investigation. During the course of investigation, six individuals were identified as accused.

They were arrested and sent for remand. Preliminary charge sheet was filed on 23-06-2014 and the same was returned on 25-06-2014 with certain objections. Mean while, the accused [A4] Janapala Krishna S/o Lakshmana Rao in this sensational case filed a petition on 07-08-2014 in the Hon'ble IV ACMM Court, Vijaywada.

Sri Syed Khader Hussain, charged HC-735 working as Court HC in Patamata PS, did not bother to inform about the filing/hearings on the Bail petition of A4, J.Krishna in Cr.No.230/2014 U/s 120[B], 449,302,376{E},396,201 r/w 34 IPC of Patamata PS in the Hon'ble IV ACMM Court, Vijayawada to his superior Officers in granting of bail to A4. His negligent action resulted in the matter being not represented properly in the Hon'ble Court which led to granting of bail to [A4] on 13-08-2014.

Charge: The accused involved in this case committed heinous gang rape, murder, dacoity with common in a having criminal conspiracy, which created panic in th e minds of the public in Vijayawada City including Andhra Pradesh. Thus, there is an outcry from the public that speedy justice has to be done to the family members of the deceased and accused should be punished with stringent punishment. In view of the above circumstances, the release of accused [A4] in this case damaged the image of police in the eyes of the society.

Exhibited Gross neglect and reprehensible conduct in not informing the superior officers about filing/hearing on bail petition of SRI j.Krishna [A4] in a case Cr.No.230/2014 U/s 120[B],449,302,376[E],396,201 r/w 34 IPC of Patamata PS.

2. Duly following the procedure prescribed in the APCS (CC&A) Rules, 1991, the Commissioner of Police, Vijayawada City, has awarded the punishment of "PPI for one year with cumulative effect on his future increments and pension" treating the suspension period from 28.08.2014 AN to 10.10.2014 FN as "Not on Duty", vide Proceedings C.No.30/PR/2014 [D.O.No.526/2018], dated: 01.07.2018.

3. In the reference 1st read above, the Charged Officer has filed an Appeal petition before the Government, requesting to set - aside the punishment of "PPI for one year with cumulative effect on his future increments and pension" treating the suspension period from 28.08.2014 AN to 10.10.2014 FN as "Not on Duty", awarded by the Commissioner of Police, Vijayawada City.

5. In the reference 2nd read above, the individual in his representation, has requested the Government to consider the entire issue judiciously and render him justice and to set aside the awarded punishment with humanitarian grounds.

6. Government, after careful examination of the matter and with reference to the records made available, hereby modify the punishment of "PPI for one year with cumulative effect on his future increments and pension" treating the suspension period from 28.08.2014AN to 10.10.2014 FN as "Not on Duty", awarded by the Commissioner of Police, Vijayawada City to that of "Censure" treating the suspension period from 28.08.2014AN to 10.10.2014 FN as "Eligible Leave".

7. The Director General of Police, Andhra Pradesh is requested to take necessary further action in the matter accordingly. The records received through the letter 1st read above are returned herewith and receipt of the same may be acknowledged

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.R.M. KISHORE KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Andhra Pradesh, Mangalagiri.
The Commissioner of Police, Vijayawada City.
The individual through the DGP, A.P.
Copy to:
The OSD to Hon'ble M (Home)
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER